the viewpoint of the Government. Let us come to a via media.

SHRI VISHVJIT P. SINGH (Maharashtra): I would like to remind Mr. Dipen Ghosh that an assurance was given by the Government the other day that they will never ever bring forward statements in that manner. This assurance was given by the Government.

श्री सुरेन्द्र सिंह ठाकुर (मध्य प्रदेश) : मालदा एक्सप्रेस का जो एक्सीडेंट हुआ है ग्वालियर के पास में, उसका स्टेटमेंट लेकर आना था अफ़सोस की बात कि उसको आप भूल रहे हैं । उस पर ध्यान नहीं दे रहे हैं... (व्यवधान)

SHRI V. NARAYANASAMY (Pondicherry): Madam, on the Fatehpur incident, no statement has come. (*Interruptions*)

THE DEPUTY CHAIRMAN : I have a solution.

यह तो सैटिल हो जाने दीजिये, फ़िर आगे जाइयेगा । आगे और भी समय है ।
Let us settle this problem.

There is already a Business listed, i.e., statement by the Minister of Petroleum at 5 p.m. I am going to call the Minister to make the statement. It had been listed as Supplementary Business. Government can make any statement any time. There is no rule against it. Let us not argue on that it was also given in the C.C.T.V., and I am sure, Members are aware of it. Therefore, let the Petroleum Minister make the statement and then Members can seek clarifications on it.

The Minister of State for Human Resource Development, Mr. Mehta, is here. He wants to make a statement. He has already done it in the Lok Sabha. You have not done it in Lok Sabha? You are doing it today? Then, as you have written to us, I think, we can list it for tomorrow because it is already 5 p.m. It will be listed for tomorrow and then Members can seek clarifications on it.

THE MINISTER OF LABOUR AND WELFARE (SHRI RAM VILAS PASWAN): Madam, what about the discussion on atrocities on the Harijans.

THE DEPUTY CHAIRMAN: After this statement. Please think about the atrocities on the chair also.

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश) : हाउस की प्रतिष्ठा गिर रही है ।

उपसभापति : हाउस की प्रतिष्ठा समझना मेरा काम है । हाउस की प्रतिष्ठा नहीं गिर रही है ।

SHRI VISHVJIT P. SINGH: Madam, I take you leave.

उपसभापति : प्रश्न आप भाषण तो सुनिये, कहां जा रहे हैं ? बैठिये ।

SHRI VISHVJIT P. SINGH: I am sure, the House is safe in your hands. On that note, I depart.

STATEMENT BY MINISTER

Proposed strike by Oil Industry Officers

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI M. S. GURUPADASWAMY): Sir, The issues pertaining to the revision of pay scales and Dearness Allowance of officers of Public Sector Undertakings under the Central Government had been under the consideration of the Government for some time. After careful and extensive deliberations, the Government notified the decision on pay scales and DA on 4th April, 1990.

2. Officers of the oil industry have been demanding that they should be given DA on the pattern of Central Government employees or the banking sector employees. A final decision on these issues had to be made by the Government keeping in view the relativities of remuneration received

by employees of the Central Government, banks, employees of public sector undertakings themselves as compared with officers of such undertakings, and other relevant factors. The Government accordingly decided that the officers of these public sector undertakings will continue to get industrial DA. The rate of industrial DA has, however, been increased from 1.65 to Rs. 1.90 per point shift in All India Consumer Price Index.

3. After announcement of this decision, the Associations of Officers of nine public undertakings in oil industry, gave notices of strike on the ground that their demand for Central DA had not been accepted by the Government. The Officers had threatened to go on strike in two phases from 24th to 26th April and from 9th to 11th May, 1990. The Officers had also started work to rule at several locations from 10th April, 1990. A group of officers of Indian Oil Corporation went on a one day strike in the Eastern Region on 17th April, 1990, causing some disruption in the supplies of petroleum products.

4. With a view to averting the strike, a Group of Secretaries was constituted to discuss the issues with representatives of the officers Associations. Discussions were held on 20th and 21st April, 1990 and the Government informed the officers that it would be willing to consider grant of Central Government pay, DA. and perquisites to executives and non-unionised supervisors of public sector undertakings governed by the IDA formula on the lines of the offer made by the Central Government before the Supreme Court for the 68 public sector undertakings who are on the Central DA pattern.

5. The oil industry officers, among other demands, requested the Government to evolve a new formula for D.A. neutralisation as prevalent in the banking sector, and to delink the question of perquisites from revision of pay and D.A. Pending consideration of their demand by the Government, the oil industry officers agreed to refer the first phase of the strike scheduled from 24th to 26th April, 1990. The Group of Secretaries met the officers associations again on 25th April, 1990 and were informed that Government's offer of Central Pay scales, D.A. and perquisites, as a package, was not acceptable to them. The officers Associations reiterated their original demands are indicated that in case these were not accepted, they will commence their second phase of strike from 8th to 11th May, 1990.

6. Secretary (Petroleum & Natural Gas) *met the oil industry officers on* 3rd May, 1990 and explained to them that taking into account the representations made by the Association of oil industry officers as also similar Associations of some of the other public sector undertakings and the various trade unions, the Finance Minister and the Labour Minister propose to hold a meeting with representatives of the trade unions soon after the Finance Minister's return from abroad on 12th May, 1990. During this meeting, when it is held, the various representations received regarding revision of the Industrial DA formula will come up for discussion. It was explained to the officers that these discussions would be a major step forward in terms of finding a solution to the various representations on the revision of DA formula. It was also explained to them that the various representations made by them on matters such as revision of pay scales, date of effectivity of the agreement, manner of pay fixation etc. were also before the Government. In the meantime, the Bureau of Public Enterprises circular of 4th April 1990 relating to DA as well as pay revision would be kept in abeyance. In view of this, it was suggested to the officers that they should reconsider their earlier decision about proceeding on strike from 8th May, 1990 and withdraw the strike notice.

Similar appeals were also issued by the chief executives of the oil companies to their officers. Despite these appeals, the oil industry officers have now decided to go on strike for one day on 8th May, 1990.

7. As a result of this strike, the entire range of activities in the oil sector covering exploration, drilling, production, pumping, refining and distribution of petroleum products will cease in the entire country on 8th May, 1990, with the exception of Defence supplies. The strike will lead to a loss in production and sales of about Rs. 180 crores inclusive of an additional outgo of foreign exchange of about $37 million for importing corresponding quantities of crude oil and petroleum products to make good the loss in production.

8. The unfortunate decision of the officers to go on strike at this time is a matter of grave concern, keeping in view the internal and external security environment facing the country and the national development goals. The proposed strike will lead to considerable disruption and avoidable inconvenience and privations for the general public. The Government was, therefore, left with no other alternative but to issue a notification under the Essential Services Maintenance Act, 1981 to ban the strike. The requisite notification has been issued on 7th May 1990. All necessary steps are being taken to meet the situation fully and firmly.

SHRI DIPEN GHOSH (West Bengal): Madam,...

THE DEPUTY CHAIRMAN: I have your name. But I am going according to the time when the Members have given the names. Dr. Ratnakar Pandey. After that it is your name.

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश) : महोदया, पैट्रोलियम और रसायन मंत्री ने जो वक्तव्य सदन के सामने रखा है उसके, अंतिम दो पैरा पर में पहले आना चाहता हूं । सात और आठ पैरा में कहा है कि इस हड़ताल से लगभग 180 करोड़ रुपये की उत्पादन और बिक्री की हानि होगी, इसमें उत्पादन बिक्री की भरपाई के लिए कच्चे तेल और पेट्रोलियम उत्पादों की तदनुरूपी मात्रा के आयात पर लगभग 37 मिलियन अमरीकी डालर की विदेशी मुद्रा का अतिरिक्त व्यय शामिल है । मैं यह जानना चाहता हूं कि 8 मई को जो हड़ताल हो रही है उससे 180 करोड़ रुपये और 37 मिलियन अमेरिकी डालर का नुकसान इस देश को हो रहा है तो आप इसके लिए क्या कर रहे हैं? साथ ही पैरा 8 में आपने कहा कि जिस समय आंतरिक और बाह्य सुरक्षा संबंधी माहौल तथा राष्ट्रीय विकास का लक्ष्य देश के सामने है, प्रस्तावित हड़ताल से काफी अस्तव्यस्तता बढ़ जाएगी और आम जनता को असुविधा और तंगी होगी । सरकार के पास अतएव अनिवार्य सेवा अधिनियम 1981 के तहत हड़ताल को प्रतिबंधित करने के लिए अधिसूचना जारी करने के सिवा और दूसरा चारा नहीं था । आज आपने अधिसूचना भी जारी कर दी है । जब इतनी तेजी से पेट्रोल के दाम बढ़ रहे हैं तो इतने लाखों कर्मचारियों के वेतन-मान केन्द्रीय सरकार के कर्मचारियों और बैंकिंग क्षेत्र के समस्त अधिकारियों के समान बनाने के लिए पहले क्यों नहीं कदम उठाये? दूसरे पैरा में आपने कहा है कि औद्योगिक महंगाई भत्ता अखिल भारतीय उपभोक्ता मूल्य सूचकांक में 1.65 रुपये की जगह वृद्धि करके 1.90 रुपये प्रति पाइंट शिफ्ट किया गया है । मैं यह जानना चाहता हूं कि आप किस आधार पर महंगाई भत्ता दे रहे हैं? उपभोक्ता मूल्य सूचक क आपने 165 और 190 बताया है तो इसको आप किस रूप में उन्हें दे रहे हैं क्या केन्द्रीय सरकार के जो अन्य मंत्रालय हैं, उनकी कम्पनियां हैं, अन्डरटेकिंवज हैं उनमें एकरूपता रहनी चाहिये । आप पेट्रोलियम मिनिस्ट्री वालों को किस रूप में दे रहे हैं? साथ ही आपने 17 अप्रैल 1990 को जो एक दिन की हड़ताल हुई थी उसके बारे में आपने पैरा 6 में लेखा है कि 12 मई 1990 को वित्त मंत्री के विदेश से लौटते ही वित्त मंत्री और श्रम मंत्री का ट्रेड यूनियनों के प्रतिनिधियों के साथ

जब बैठक ही नहीं हुई लेबर मिनिस्टर और फ़ाइनेंस मिनिस्टर की तो किस आधार पर महंगाई भत्ते के बारे में जो इनकी मांगें थी, उन में से मांगों को पूरा करने का उपक्रम रचा है, जब कि 12 मई को दोनों मिनिस्टर्स की बैठक हो रही है, यही मैं आपसे जानना चाहता हूं ?

SHRI DIPEN GHOSH: Madam Deputy Chairman, it is unfortunate that the officers of the Indian Oil Corporation and certain other oil companies in the nationalized sector have decided to go on strike from 8th May despite the Government's conciliatory proposals to bring them to the negotiating table. But it is all the more unfortunate that the Government has decided to invoke the most hated Essential Services Maintenance Act to ban the proposed strike. It is further unfortunate that, though the honourable Minister has come to Parliament with this statement—I am constrained to say this—Parliament has been taken for granted in that this statement says that the requisite notification has been issued on 7th May 1990. After issuing the notification invoking the Essential Services Maintenance Act to ban the strike to be started from tomorrow, the honourable Minister has come to Parliament with this statement.

Madam, I would like to remind the honourable Minister that when both he and I were in the Opposition, we both opposed the enactment of the Essential Services Maintenance Act.

THE DEPUTY CHAIRMAN: He and you are together now!...(*Interruptions*)...

SHRI DIPEN GHOSH: We opposed it because we thought—both he and I—that the workers' right to strike was an inalienable right and even if, despite efforts being made by the Government to bring about a negotiated settlement, a strike takes place, already there were labour laws by which such a strike situation could well be tackled. Already there is a conciliatory machinery. So, invoking of the Essential Services Maintenance Act will be a bad precedent. The honourable Labour Minister, Mr. Ram Vilas Paswan had assured—he is also present here—the labour representatives at the last Indian Labour Conference that the new Government was going to withdraw the Industrial Relations Bill which was brought forth in Parliament by the erstwhile Government because that Industrial Relations Bill also, in a sort of way sought to take away that right of the workers. Therefore, Madam, I would appeal to the Government not to invoke the Essential Services Maintenance Act, if the requisite notification has not yet been issued and, if the notification is already issued, it should be immediately withdrawn.... (*Interruptions*)...Secondly, Madam, this is our demand.

PROF. CHANDRESH P. THAKUR (Bihar): A point of order. If they do not withdraw the notification as per your suggestion, will you withdraw your political support to the Government?

SHRI DIPEN GHOSH: All right. I am going to reply after seeking clarifications on this statement.

THE DEPUTY CHAIRMAN: You don't listen to them. You address the Chair.

SHRI DIPEN GHOSH: Madam Deputy Chairman, what is the reason behind the Indian Oil officers going on strike? They demanded grant of DA on the Central Government pattern. What is that pattern? Why is that pattern being asked by other sections of the employees? Because the Fourth Central Pay Commission has ensured full neutralisation of rise in the cost of living index up to the wage level of Rs. 3,500 and 60 per cent neutralisation from Rs. 3,500 to Rs. 7,000. This way there is sliding neutralisation as recommended by the Fourth Central Pay Commission, and the Government has accepted it.

The question is, the prices are rising for which the employees, whether in the Central Government Departments or in the public sector, are not responsible. Whether they are paid Rs. 100 per month or Rs. 1,000 per month or Rs. 10,000 per month, the real value of the pay of everybody is eroded due to the rise in the cost of living index. So, because of the language which has been used here, I think the language of that concept of the Government is standing in the way of a fruitful settlement. I quote:

> "The final decision on these issues has to be made by the Government keeping in view the relativities of remuneration received by employees of the Central Government, banks, employees of public sector undertakings themselves as compared with officers of such undertakings and other relevant factors."

There is no question of relativity. An officer in a Central Government Department getting Rs. 3,000 a month or an officer in the Indian Oil Corporation getting Rs. 4,000 a month, both are affected. The salaries of both the officers is being eroded due to the rise in the cost of living. So, I want to know what steps the Government take to ensure full neutralisation of the rise in the cost of living index. The industrial DA has been increased from Rs. 1.65 to Rs. 1.90 per point shift. That also does not ensure full neutralisation. So, I want to know whether the Government has suggested any formula whereby they would ensure full neutralisation of the rise in the cost of living for the pay given to the Oil Corporation employee. What is that formula?

THE DEPUTY CHAIRMAN: Now you ask your question.

SHRI DIPEN GHOSH: This is the question.

THE DEPUTY CHAIRMAN: What is the formula?

SHRI DIPEN GHOSH: Yes. It has been mentioned that the rate of industrial DA has, however, been increased from Rs. 1.65 to Rs. 1.90 per point. It has been even raised to Rs. 1.90. That does not, as such, ensure full neutralisation. Other Central trade unions have objected to it. They have demanded a different pattern of industrial DA per point to ensure full neutralisation at various initial points of the various scales of pay from Rs. 3.50 to Rs. 7.50 per point. So, I would like to know from the hon. Minister the exact formula the Government has proposed to the Oil Officers organisation whereby full neutralisation for rise in the cost of living will be ensured.

Second, will the Minister kindly assure us that the ESMA will not be invoked and that the notification, if it has already been issued in the meantime, will be withdrawn? Only on an elementary point I want to reply to Prof. Thakur.

THE DEPUTY CHAIRMAN: You are not obliged to.

SHRI DIPEN GHOSH: Our party's support to the Government is in totality in the political situation obtaining at the point of time and not on this issue alone.

SHRI V. NARAYANASAMY (Pondicherry): The hon. Minister in the concluding part of the Statement has stated that the Government has decided to invoke ESMA. The demand by the Officers and employees of the oil industry for revision of the pay scale on the Central pattern has been pending for a long time. It is not today's or yesterday's demand. It is pending for more than four years. The discussions have been held with the Officers and also with the Ministers concerned and several representations have been made by them. Immediately after the Fourth Pay Commission's recommendations, as Shri Dipen Ghosh has mentioned, most of the public sector undertakings have

been demanding the Central scale of pay. Here the Minister says that all attempts have been made, but it is quite surprising when the talks were held by the Secretaries and the Officers had agreed to postpone their strike, the Labour Minister was not involved. The Minister says the Labour Minister's and the Finance Minister's meeting is proposed to be held on 12th May after the arrival of the Finance Minister from abroad. Holding a discussion with the Labour Minister, when the meeting with the Officers has failed, is a must, because the Labour Minister will approach the problem and he will be able to convince the Officers and tell them to postpone the strike. If they agree it will be well and good. I do not see any wrong on the part of the officers who are demanding pay revision on the Central pattern and also the grant of DA on the Central pattern. There are various public sector undertakings which have been adopting the Central pay scales and also paying DA on par with the Central Government employees. That being the case why should the Governmnt defer the decision?

I am quite surprised to note that the Government wanted to study the productivity part of it and the functioning of the departments as it was prevailing in the banking sector. I would like to submit before the hon. Minister when the employees' demands are genuine and when the employees should be given that benefit why should the Government defer its decision? Asking for the Finance Minister to come and after getting his concurrence the Petroleum Ministry will decide the matter is not an acceptable proposition. Moreover, as the Minister has explained, the negotiation was held with the Secretaries and it is not shown anywhere whether the Petroleum Minister intervened in the matter or not because, as mentioned by the Hon. Minister in the Statement itself, the loss itself would be Rs. 180 crores per day.

THE DEPUTY CHAIRMAN: You put your question.

SHRI V. NARAYANASAMY: I am putting my question. I would like to know whether the Minister had intervened or not.

Now I come to my last question. On an earlier occasion the Officers adopted work-to-rule and in the North-Eastern region they went on strike. What was the total loss incurred by the oil industry because of the disruptive working pattern that had been adopted by the Officers of the oil industry? Finally, the ESMA which has been imposed by the Petroleum Ministry will be an action of vindictiveness and revengeful against the officers who are involved in the strike. Therefore, I appeal to the hon. Minister to withdraw the ESMA immediately.

SHRI JAGESH DESAI (Maharashtra): Madam Deputy Chairperson, I am always in favour of the working class but I do feel that if they would have waited up to 12th May, 1990 heavens would not have fallen. By saying this, I would like to seek some clarifications from the Minister. On the 25th April, 1990, the officers associations told the Group of Secretaries that the offer of the Government regarding pay scales and allowance was not acceptable to them. The strike is taking place on the 8th of May, after a week. The Group of Secretaries informed the officers associations that they should wait up to 12th May, 1990 until the return of the Finance Minister from abroad. This strike could have been averted if the Government was a little bit prompt and told the officers that the meeting would be held before 4th May but 7 days have elapsed and the Government did not do anything. So if anybody is responsible for the strike, it is the Government which is responsible. When they have told you on the 25th April that the pay

scales and other allowances offered by you are not acceptable to them, why no initiative was taken by your Ministry? The meeting could have been held between the officers associations and the Finance Minister and the Labour Minister. That is where the Government has failed. In spite of that I appeal to the officers of the oil industry to postpone their strike. I request the Government to consider their demands very sympathetically. I would like to know from the hon. Minister what will be the financial burden if the pay scales, allowances and other things are given according to the officers demand. How much the Government wants to pay according to the industrial formula of Rs. 1.90 per point shift? What will be the difference?

Lastly, in para 2 the Minister has said "'A final decision on these issues had to be made by the Government keeping in view the relativities of remuneration received by employees of the Central Government, banks, employees of public sector undertakings themselves as compared with officers of such undertakings, and other relevant factors". What does he mean by "other relevant factors"? I would appeal to the Minister that the meeting should be held as soon as the Finance Minister returns either on the 12th or 13th May and their demands should be examined sympathetically. As rightly pointed by Mr. Dipen Ghosh day by day prices are increasing. We should see that the working class do not suffer on account of the price rise and they should be compensated to the extent of price rise in the index.

श्री नरेश सी० पुगलिया (महाराष्ट्र) : उपसभापति जी, आपके माध्यम से पेट्रोलियम मिनिस्टर से मैं जानना चाहूंगा कि आयल इंडस्ट्री एक प्रेस्टीजियस इंडस्ट्री सेंट्रल पब्लिक अंडरटेकिंग के माध्यम से हमारे देश में है । हमारे जो दो-तीन बड़े पब्लिक अंडरटेकिंग के प्रतिष्ठान हैं, उनमें से यह एक है ।

इसके अधिकारियों ने और आयल इंडस्ट्री ने देश में पिछले कुछ सालों से बहुत अच्छा काम किया है और ऐसी प्रेस्टीजियस इंडस्ट्री में नई सरकार को इतनी जल्दी यह नोटिफिकेशन, इसेंशल सर्विसेज मेंटेनेंस एक्ट के अंतर्गत नोटिफिकेशन इशु करने की नौबत जो आ रही है, पासवान जी यहां बैठे हैं, हमारे मज़दूर मंत्री और उनके होते हुए हम उन्हें काफ़ी मज़दूर मंत्री की हैसियत से देखते हैं जिन्होंने पिछली सरकार के समय वर्कर्ज पार्टिसिपेशन इन मैनेजमेंट की जो स्कीम लाने की कोशिश की थी उसको पूरी ताकत के साथ इम्प्लीमेंट करने की एक तरफ़ वह कोशिश कर रहे हैं और दूसरी तरफ़ इस प्रकार के नोटिफ़िकेशन इशु करके देश के अधिकारियों और कर्मचारियों को एक प्रकार से डराने की आप कोशिश कर रहे हों यह गलत चीज है । इस स्टेटमेंट से तो ऐसा लगता है और मेरी जानकारी के हिसाब से उपसभापति जी, अधिकारियों के बार-बार सेक्रेटरी लेवल पर चर्चा की और उन्होंने मिनिस्टर लेवल और लेबर मिनिस्टर लेवल पर चर्चा करने की कोशिश की, लेकिन उन्हें सेक्रेटरी लेवल तक ही रोक दिया गया । मेरी पेट्रोलियम मिनिस्टर और लेबर मिनिस्टर से विनती है कि इस प्रकार का नोटिफ़िकेशन इशु करके लास्ट स्टेप्स जो आपने यूज़ किया है All necessary steps are being taken to meet the situation fully and firmly. इस प्रकार से स्ट्राइक तोड़ने की, अधिकारियों को डराने-धमकाने की सरकार जो भाषा बोल रही है यह गलत बात है। इस प्रकार से हमारे अधिकारियों को डीमारेलाइज़ करने की अगर यह सरकार कोशिश करती है तो यह गलत है । मैं मंत्री महोदय से जानना चाहूंगा कि पेट्रोलियम इंडस्ट्री में, आयल इंडस्ट्री में कितनी आफ़िसर एसोसिएशंज़ हैं ? उन्होंने नोटिस देने के बाद 8 तारीख को एक दिन का स्ट्राइक नोटिस देने के बाद, केन्द्र सरकार इसको प्रेस्टिज प्वायंट बना कर, क्योंकि 8 तारीख को

स्ट्राइक का नोटिस दिया है, फाइनांस मिनिस्टर का बहाना बना कर कि फाइनांस मिनिस्टर आउट आफ् कंट्री हैं, 12 तारीख को आने वाले हैं उसके बाद चर्चा करेंगे । आज आपने अगर इनकी डिमांड एक्सैप्ट भी कर ली तो आज की आज उनके हाथ में पैसा देने की आपको आवश्यकता नहीं, लेकिन आज पेट्रोलियम और लेबर मिनिस्टर इमीडिएट्ली इंटरवीन करके उनके साथ चर्चा करके यह मैटर सैटल कर सकते है । उन्हें यह रिक्वेस्ट कर सकते हैं कि इसमें जो भी बर्डन आएगा उसके बारे में हम फाइनांस मिनिस्टर से चर्चा करके फाइनल डिसिज़न अगर आप बाद में भी लेते तो ठीक था, लेकिन उनसे दोनों मंत्रियों ने चर्चा करने के लिए जो 12 तारीख दी है वह जान-बूझ कर दी है जो कि उनका 8 तारीख की जो स्ट्राइक का नोटिस है चार्जेज को डीमारेलाइज़ करने के लिए और सरकार ने जो प्रेस्टिज प्वायंट बनाया है उसको प्रेस्टिज प्वायंट न बनाते हुए मैं दोनों मंत्री महोदय से विनती करूंगा कि इस प्रकार के नोटिफिकेशन इशु करके सारे देश में एक दहशत के वातावरण का कामगार क्षेत्र में निर्माण न करें और उनके साथ आज ही बात करके इसमें से कोई रास्ता निकालें और मैं मंत्री महोदय से जानना चाहूंगा कि उनकी जो आफिसर्ज एसोसिएशन की डिमांड है उसमें फ़ाइनेंशल बर्डन कितना आता है, लेकिन सरकार उन्हें जो देना चाहती है उसमें फ़ाइनेंशल बर्डन कितना आता है और और दोनों में कितना अन्तर है ?

तीसरे, मंत्री महोदय से मैं जानना चाहूंगा कि अगर मान लो स्ट्राइक होती है तो उसमें जनता को असुविधा न हो उसके लिए आपने क्या कार्यवाही की है ? अंत में मैं जानना चाहूंगा कि पैट्रोलियम मिनिस्टर और लेबर मिनिस्टर कल 8 तारीख की स्ट्राइक को अवाइड करने के लिए आप आफिसर्स स्टाफ एसोसिएशन से चर्चा करने के लिए तैयार हैं क्या नहीं ? धन्यवाद ।

डा० अबराए अहमद खान (राजस्थान): मैडम, हड़ताल अपने आप कोई नहीं करना चाहता । यह पेट की आग और बढ़ती हुई महंगाई, आदमी को कुछ न कुछ करने के लिए विवश करते हैं । यह जो वक्तव्य माननीय मंत्री जी को देना पड़ा और जिस कारण से देना पड़ा, हम रोज-रोज सदन के अन्दर कहते है कि हर चीज के मूल्य बढ़ते जा रहे हैं । आदमी के साधन सीमित है, इसलिए उन मूल्यों को कम करिए जिससे वह अपने बच्चों का पेट पाल सकें । लेकिन इस बहरी सरकार को सुनाई नहीं दे रहा है ।

माननीय उप सभापति जी, मैं आपके माध्यम से सब से पहले तो माननीय मंत्री जी से यह पूछना चाहूंगा और यह जानना चाहूंगा कि इन सरकारी उपक्रमों के कर्मचारियों की जो डिमांड है, क्या वह डिमांड वाजिब है या गैर वाजिब है ? उन्होंने अपनी डिमांड में केन्द्रीय सरकार के कर्मचारियों अथवा बैंकिंग क्षेत्र के अधिकारियों के सदृश भत्ता मांगा है तो क्या यह भत्ता मांगना गलत है ? क्यों उनके साथ भेदभाव है कि केन्द्रीय सरकार के कर्मचारी या बैंक के कर्मचारियों को ज्यादा दिया जाता है और उनको कम दिया जाता, इस भेदभाव का क्या कारण है ? दूसरा, अगर उनकी इस डिमांड को मान लिया जाए तो इससे कितना आर्थिक भार पड़ेगा ? तीसरी बात, जो विभिन्न तिथियां परिपत्र में दी गई हैं, विभिन्न तारीख इस परिपत्र में दी गई है.....।

उसके अंदर सबसे पहले 17 अप्रैल को इंडियन आयल कार्पोरेशन की हड़ताल होना बताया गया है । तो 17 अप्रैल को जो इंडियन आयल कार्पोरेशन की हड़ताल हुई, उससे कितना आर्थिक नुकसान हुआ और कितनी दुर्व्यवस्था फैली, यह मैं माननीय मंत्री जी से जानना चाहूंगा ? फिर 17 अप्रैल के बाद 24 और 26 अप्रैल को जो हड़ताल होने वाली थी, वह उन कर्मचारियों ने इनके आग्रह को मानकर स्थगित कर दी कि आप हमारी मांग पर, हमारी बात पर कुछ ऐक्शन लेने जा रहे हैं । उसके बाद भी जो माननीय वित्त मंत्री जी के विदेश जाने का कार्यक्रम था, वह पहले से निर्धारित था । तो 24 और 26 अप्रैल की हड़ताल उनके स्थगित कर दिए जाने के बाद जो मीटिंग 12 मई को करने जा रहे हैं, वह क्यों नहीं 3 मई के पहले

कर ली ? जब कि यह जानते थे कि 24 और 26 अप्रैल के बाद उन की हड़ताल का सेकंडफेस 8 और 11 मई में होगा। क्योंनहीं इस बीच में कोई कार्यवाही की गयी या इस पर कोई निर्णय लिया गया ? महोदया, अभी हमारे भाई पुगलिया जी कह रहे थे कि इस प्रकार का नोटिफिकेशन जारी करना या अध्यादेश जारी करना, एक प्रकार से उन कर्मचारियों की पेट की आग को, उन के बच्चों... (व्यवधान)

THE DEPUTY CHAIRMAN: Please don't make a speech. Seek clarifications.

डा० अ रार अहमद खान : यह स्पीच नहीं है, मैडम । मैं तो यही जानना चाह रहा हूं कि क्यों यह नोटिफिकेशन जारी कर उन कर्मचारियों के अधिकारों को, उनके अपने पेट की आग को बुझाने के लिए या अपने बच्चों को पालने के अधिकारों को रोंदा जा रहा है ? महोदया, उन की मांग क्या है ? सिर्फ यह मांग है कि जो केन्द्रीय सरकार के कर्मचारियों या बैंक कर्मचारियों को भत्ता दिया जाता है, वह हमें दिया जाय। तो यह भेदभाव उन के साथ क्यों हो रहा है ? क्यों उन के अधिकारों को रोंदा जा रहा है ?

श्री सुरेश पचौरी (मध्य प्रदेश) : महोदया, तेल उद्योग अधिकारियों की प्रस्तावित हड़ताल अत्यंत दुर्भाग्यपूर्ण है। इस में पहले हमें उन बिन्दुओं पर जाना पड़ेगा, उन कारणों पर जाना पड़ेगा, उन परिस्थितियों में जाना पड़ेगा जिन्होंने उन्हें हड़ताल पर जाने के लिए बाध्य किया है ।

महोदया, इनकी मांग है कि केन्द्रीय कर्मचारियों के सदृश्य अथवा बैंक क्षेत्र में काम करने वाले अधिकारियों के समान इन्हें महंगाई भत्ता दिया जाए । महोदया, मंत्री जी ने अपने वक्तव्य में बताया है कि सचिवों के एक दल ने 25 अप्रैल को इन अधिकारियों और इन अधिकारियों के संघ से मुलाकात कर केन्द्रीय वेतनमान, महंगाई भत्ता व प्रसुविधाओं के पैकेज के रूप में जो इनकी मांग थी, उसे नामंजूर कर दिया है । वहीं दूसरे पैरा में यह बताया है कि पेट्रोलियम सेक्रेटरी 3 मई को इस संघ के अधिकारियों से मिले और उन्हें आश्वासन दिया कि वित्त मंत्री 12 तारीख को यहां वापिस आ जाएंगे और फिर उन से मिलने के बाद, उनसे चर्चा करने के बाद, श्रम मंत्री व ट्रेड यूनियनों के साथ बैठकर महंगाई भत्ता प्रणाली में संशोधन के संबंध में समाधान खोजने की दिशा में एक बहुत अच्छा कदम उठाया जाएगा, मैं आप के माध्यम से यह जानना चाहूंगा कि जो सचिवों का एक दल इन अधिकारियों से 25 अप्रैल, को मिला था क्या उस दल में पैट्रोलियम सेक्रेटरी भी थे ? यदि थे तो ऐसी कौनसी परिस्थितियों ने उन्हें बाध्य किया कि पहले तो यदि पैट्रोलियम सेक्रेटरी उस दल में थे तो उन्होंने उस मांग को नामंजूर कर दिया जिस के तहत 25 अप्रैल को उन की मुलाकात हुई थी और यदि वह नहीं थे तो क्या यह उनकी जिम्मेदारी नहीं थी कि जबकि अन्य विभागों के सचिव उन से मुलाकात करने जा रहे हैं तो इस विभाग से संबंधित वह सचिव हैं, वह नहीं जाते । यदि वह उस में शामिल थे तो दोबारा जब 3 मई को इनसे मिलने गए तो ऐसा क्या उन मंतव्य में परिवर्तन हुआ कि वह एक ऐसा समाधान खोजने की बात उन से कर के आए जिसमें एक उदाहरण बन जाता ? ये जो वक्तव्य में दोनों बातें कहीं गई हैं, यह आपस में बहुत कन्फ्यूजन करने वाली हैं ? इस के संबंध में मैं स्पष्टीकरण चाहूंगा। तीसरा प्रश्न मैं यह करना चाहूंगा कि सरकार की तरफ से यदि यह हड़ताल फिर भी होती है तो सारा लैजिस्लेशन लागू करने के बाद, ये सारी बातें करने के बाद भी, तो व्यवस्थित काम चलाने के लिए क्या व्यवस्था की गयी है ।

THE DEPUTY CHAIRMAN: I have got ten Members from one party! I would suggest that we have certain conventions, but we should not make certain new conventions. ...(*Interruptions*)...

SHRI GURUDAS DAS GUPTA (West Bengal): Madam, I would like to suggest that seeking of clarifications should not be done through one

row. It can be done one Member from one place and another from the other place. ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: It is not a debate. I am sorry, it is not a debate. It is a convention. It is not a part of a rule....(*Interruptions*)... Just a second. It is a convention. Now, in this convention, there used to be four or five clarifications. Now it becomes very difficult because we do according to the time, because we do not have any other way of handling it. So we do it according to the time it is admitted at the table and that is how I call the Members. But I feel that I should request the Whip of the Congress Party to see that not ten Members of their party seek clarifications then because it becomes repetitive and the party viewpoint is already put by four or five Members. So let us have a meaningful discussion. ...(*Interruptions*)...

श्री राम नरेश यादव (उत्तर प्रदेश): महोदया, आज से नहीं, इसके बाद से रखिए, यह मेरी आप से रिक्वेस्ट है। ...(व्यवधान)

श्री नरेश सी० पुगलिया (महाराष्ट्र): जो लोग नहीं पूछना चाहते, उनको छोड़िए, लेकिन हम लोग अपना अधिकार क्यों छोड़े ? ...(व्यवधान)

SHRI M. M. JACOB: Instead of making elaborate speeches, let them put pointed questions.

PROF. CHANDRESH P. THAKUR: Madam, before I seek my clarifications, let me make one submission. ... (*Interruptions*)... I am not yielding. Madam, I submit that this problem had not started when my turn came.

THE DEPUTY CHAIRMAN: No, it is not like that.

PROF. CHANDRESH P. THAKUR: Number two is, seeking of clarifications I suppose, is not subject to the Whip of the party, but it is the individual Member's privilege And the third is, the very fact that far too many people are seeking clarifications shows the seriousness of the issue involved.

THE DEPUTY CHAIRMAN: Agreed.

PROF. CHANDRESH P. THAKUR: Kindly consider this.

THE DEPUTY CHAIRMAN: I agree with you, Prof. Thakur that it is the seriousness of the situation, but it is not only in this matter; even if it is a one page-statement, the Members seek clarifications. If you don't want to come under the party's Whip, then you will come under the Whip of the Deputy Chairman or Vice-Chairman or the Presiding Officer because somewhere I will have to put my foot down, because I cannot allow, and while you are sitting here, you will also not allow 12 Members, 14 Members or 18 Members to seek clarifications because it is repetitive. If some new point is asked by ten Members, there is no objection. So let me decide it. If your point is not repetitive, I will allow you. But if Members repeat the same question, I will say it has already been asked.

SHRI SHABBIR AHMAD SALARIA (Jammu and Kashmir): Unless you hear a Member, how will you know it is respectitive?

THE DEPUTY CHAIRMAN: See, when you ask a question and I feel, you are asking a repetitive question, immediately I will stop you from raising it, O.K.

SHRI VIRENDRA VERMA (Uttar Pradesh): Is it not the convention that one Member from each party will seek clarifications. Is it not the convention?

THE DEPUTY CHAIRMAN: According to the rule — I have the rule book with me—when the Minister

a statement, there should be no clarifications at all. According to the rule which this book contains, But fortunately and unfortunately, we have certain conventions that Members have started asking clarifications, but it should not be stretched to such an extent that the clarifications lose their validity. I am requesting the House, the Members' co-operation. So, you decide what each and everyone is going to ask so that there is no repetition. ठाकुर साहब, आप बोलिये ।

PROF. CHANDRESH P. THAKUR: Madam, I promise you not to repeat whatever has already been said. It seems to me that unfortunately through its vacillation this Government has landed itself in a situation where it has to seek the provision of E.S.M.A. to run the oil sector. It is also unfortunate that such loyal employees who work in the oil sector have been put to a situation where they have to withdraw their contribution to the vital sector of the economy. The oil sector is so vital that one day's strike is likely to cost us 180 crores in rupee terms. And, Madam, it also amounts to an additional outgo in terms of foreign exchange to the tune of 37 million dollars. So, in this context, I have five clarifications to ask.

Does this Government have a coherent compensation policy which constitutes the compensation on basic pay, DA and on perquisites to be given rather than separate and *ad hoc* deccisions from time to time? If it does not have, does it plan to come out within a time frame with a policy on compensation regardless of the sector which is doing full justice to the needs of the employees in view of the rising prices and their growing efficiency?

Is it the policy of the Government to keep on shifting its stand? To illustrate this, I will say that it has shifted its stand several times in this case. In the first round, he talked about the DA and then about DA and perquisites and, later on, only about DA and, at the third stage, he says, it was to consider all the representations from the different sections of the employees. So, is it discussing the question of only DA or DA and perquisites or all the demands which would include the entire compensation package or will it continue to shift it to a further stage so far as this issue is concerned?

Does this mean that this Government responds only under the threat of a strike? When there was a strike of the threat of a strike, immediately the Government conceded certain demands and only after a further strike notice was given or a work-to-rule notice was given, it is promising another round of discussions.

By choosing to show its impatience with regard to the established procedures for sorting out the issues, that is, bipartite or tripartite negotiations, conciliation or seeking the support of the third party, whether it is judicial or voluntary arbitration, the Government has jumped to the next step, that is, invoking the provisions of the ESMA. Now, there are two kinds of impatience in this. One, it is trying to muddle through the established processes for sorting out these issues. Secondly, before exhausting all these processes, it has jumped to the choice of making the provisions of the ESMA relevant in this case.

Lastly, in the case of one of the most vital sectors of the economy-rather than encouraging the Labour Minister's proposition to bring the employees' involvement at higher levels through workers' participation in management, the Government is trying to queer the pitch by invoking the provisions of the ESMA. So, does this Government want the co-operation of the public sector employees or is it declaring a war against the public sector employees in general and the employees of the vital sector of the economy, the oil sector, in particular?

THE DEPUTY CHAIRMAN: Yes, Mr. Ahluwalia.

श्री सुरेन्द्रजीत सिंह आहलुवालिया : उपसभापति महोदया, मैं आपके माध्यम से मंत्री महोदय से सिर्फ यह जानना चाहता हूं कि आयल सैक्टर के अफसरों की जो डिमांड है, इसमें अगले पांच सालों में कितना पैसा इन्वाल्व होगा इसका कोई केलकयूलेशन किया है और जो नुकशान हो रहा है, 180 करोड़ रुपए का रोज का, उसके हिसाब से अगर यह कांटीन्यू करती है तो क्या कमर्शियल वे में हम कोई किता कर रहे हैं कि इनका नुकशान सिर्फ स्ट्राइक के कारण कितना हो रहा है और हमें कितना आर्थिक भुगतान करना पड़ेगा, उसको मद्देनजर रखते हुए क्या हमने कोई प्रोग्राम बनाया है या डिसकस्शन में हमने कोई बारगेन करने की कोशिश की है ?

दूसरा, कम्प्यूटर प्राइस इन्डेक्स के थ्रू जितने भी कमर्शियल या पब्लिक सैक्टर अंडरटेकिंग हैं, वहां पर जो डी० ए० वगैरह मिलते हैं और जो सैन्ट्रल गवर्नमेंट का डी० ए० है, दोनों में आज की डेट में कितने डिग्री का फर्क है , . . .

कितने पैसों का फर्क है, जो इनको महसूस हो रहा है, यह मैं आपके माध्यम से जानना चाहूंगा। दूसरा, अब जब सारे रास्ते बंद हो गए हैं, तब आप कौन सा रास्ता अपनाने जा रहे हैं ? क्या आप "एस्मा" के तहत लोगों को गिरफ्तार करने जा रहे हैं या कोई और रास्ता ग्रहण करेंगे, यह बताने की कृपा करें ।

SHRI GURUDAS DAS GUPTA: I must be frank with you. The point is it is becoming really difficult for us, for us to believe in a particular ideology to bear with the decision the Government has taken. It is really very difficult for us to bear with, because this Government has come into existence with a certain promise of restoring not only the credibility but also the democratic functioning of the Government. A Government that has taken to office only six months back is taking to repressive measures in respect of the strike, maybe, of the officers of the oil industry. But the very fact that the Government is taking to repressive measures, that it has decided to invoke ISMA, is by itself unbearable for us. Let me be very frank. I am really alarmed by our esteemed colleague, Gurupadaswamy, becoming instrumental in the first act of imposing repression in the country. Let me be frank with you. And this is not the tradition with him; neither do we expect it from him. And if it continues like this, it will be difficult for us to walk and work together. And I am very clear. If you take to this so quickly and so easily, then it will be very difficult for us to walk and work together, because, we are with you not because there is a change of Government: we are with you because you promised a certain change in priciples and policies. You cannot be allowed to walk in the beaten track of the previous Government. And if you do it, you do it at the cost of losing your friends. Therefore, the single question that I ask of my esteemed colleague is whether it is possible even at this late hour to avoid this confrontation, and to avoid the confrontation I make this appeal to the organisers of the strike to postpone the strike for some time, this is a Government which has come into existence only a few months ago and, therefore, they should postpone this strike and, they should seriously explore the possibilities of ensuring a negotiated settlement: I make this appeal to all those who like to be on strike: on the other hand, I appeal to the Government not to precipitate a confrontation which they seem to be bent upon doing at the moment.

My last question,...

THE DEPUTY CHAIRMAN: You had only one question to ask!

SHRI GURUDAS DAS GUPTA: This is an additional part of the same question. That is part (a) and this is part (b). Government must explore several methods in order to avoid such confrontation in future. And with that end in view I would like to ask Mr. Gurupadaswamy whether he feels

himself comfortable by making this statement, whether by issuing this statement he is not making himself vulnerable to the Opposition. This Government makes itself so easily vulnerable to the attack of the Opposition who themselves had been quite used to imposing such repressive measures. Of course, a belated realisation of democracy! When the previous Government was in power, this was being done off and on and no voice was raised. Now this is being done and they make themselves vulnerable to such charge so early in their existence.

THE DEPUTY CHAIRMAN: Your one question has been raised to the power of three.

Now Mr. Ram Naresh Yadav.

श्री राम नरेश यादव : राष्ट्रीय मोर्चे की सरकार बनने से पहले अपने घोषणापत्र में लैबर पोलिसी के संबंध में यह बात स्पष्ट लिखी है

that the obnoxious features of industrial relations laws will be replaced by more democratic and rational provisions.

महोदय, यह जो माननीय मंत्री जी का वक्तव्य आया है इस वक्तव्य के अंतिम पैरा में और पांच पंक्तियों में जिस तरह से इसको कहा गया है यह नोटिफिकेशन जो जारी हुआ एसेंशियल सर्विसिज मैन्टीनैन्स एक्ट 1981 के तहत स्ट्राइक को बंद करने का, प्रतिबंध लगाने का, इस संबंध में माननीय मंत्री जी से जानना चाहता हूं कि क्या यह जो आपका मैनीफैस्टो है, घोषणा-पत्र है उसके यह अनुकूल है ?

दूसरी बात यह जानना चाहता हूं कि जब एक तरफ तो सेंट्रल एम्प्लाइज को और बैंक एम्प्लाइज को जो कंज्यूमर्स इन्डैक्स है उसके आधार पर उनको डियरनैस एलाउन्स दिया जा रहा है तो इनको न दिया जाना क्या भेदभाव नहीं है ? और अगर भेदभाव है तो क्या माननीय मंत्री जी इस बात से अच्छी तरह से सहमत हैं और अपनी बात को अब तक जो चार अप्रेल के डिसीजन के बाद 24, 25 और 26 को और उसके बाद भी बात होती रही, क्या आपने दूसरे अधिकारियों के सामने, वित्त मंत्री के सामने इस प्रश्न को उठाया था कि यह इन लोगों के साथ ज्यादती है जिसे हल करने के लिए एक ही एक कार्यवाही हो, उन्हें भी उसी तरह से दिया जाए ?

महोदय, तीसरी बात यह है कि यह सब मामला इसलिए होता है--डियरनैस एलाउंस का मामला लेकर के, कहीं-कहीं पे-स्केल के मामले को लेकर के जो संशोधन होता है तो मजदूर बाध्य हो जाता है स्ट्राइक करने के लिए । इसलिए मैं जानना चाहता हूं कि लेबर मिनिस्टर साहब भी अभी यहां बैठे थे कहीं चले गए, वैसे माननीय मंत्री जी से मैं जानना चाहता हूं कि क्या इस संबंध में इसी तरह से समय-समय पर जो एनोमोलीज हैं इन सारी बातों को हल करने के लिए क्या सरकार इस दिशा में विचार कर रही है कि नेशनल वेज कमीशन या नेशनल पे कमीशन पूरे राष्ट्रीय पैमाने पर इस बात को ध्यान में रखकर के बनायें ताकि यह पैरिटी आ जाए, चाहे डियरनैस का मामला हो, चाहे पे-स्केल का मामला हो ?

अब सवाल यह है कि प्रश्न यह बहुत जरूरी है क्योंकि कल स्ट्राइक हो रही है । आपको भी चिंता है और हम सब लोगों को भी चिंता है, सारे सदन को चिंता है । महोदय, इतना मैं जरूर कहना चाहता हूं कि जैसा कि मेरे साथियों ने अपील भी की है मजदूरों से, काम करने वाले लोगों से कि जब 130 करोड़ रु० का नुकसान हो रहा है सरकार का और 30 मिलियन डालर का दूसरी तरीके से जो फ़ारेन एक्सचेंज का लास हो रहा है एक दिन के आधार पर जब इतना नुकसान हो रहा है तो हमारी अपील है उन मजदूरों से भी कि जब सरकार विचार करने के बारे में थोड़ा सोच रही है तो वह भी अपनी स्ट्राइक को वापिस ले और सरकार से हमारी अपील है और

मैं जानना चाहता हूं कि आज एक दिन का सवाल है 10 दिन के बाद फिर स्ट्राइक पर जायेंगे तो कुल कितने करोड़ रुपए का नुकसान हो जाएगा ? और उनकी इस डियरनैस एलाउंस की एनोमोली को हल करने के लिए कुल कितने करोड़ रु० की आवश्यकता हो रही है ? इसके संबंध में माननीय मंत्री जी का जवाब चाहता हूं ।

SHRI SHABBIR AHMAD SALARIA: The hon. Minister said that on the 17th April there was a strike. The hon. Minister has also said that they had 'worked to rule'. The hon. Minister also said that the losses were as on page 4. Therefore, I ask the hon. Minister whether all those losses which occur on account of the strike, compared to what we have to give them on the basis of their demand, would be justiciable or would be proper or not. Would it not be proper in the circumstances keeping in view the amount involved which we will lose on account of the strike and the amount we will have to give if we concede their demand — would it not be advisable to accept their demand? Second, may I ask him further whether in view of the price rise their demand is justified or not, whether in view of the price rise the formula they are advocating is justified or not? And if it is justified then where is the moral right of the Government to refuse to them the payment of dearness allowance on the formula proposed by them? My third question: The statement that he has made leaves one in doubt. Are they agreeable to the formula which is applied to the Central Government employees and to the banks? Or, do they ask for a formula different from that policy? And if it is so, what is the monetary difference, what is the differences in the financial burden in the two formulae? After reading this statement, one is left in some doubt as to whehter what they are asking for is at par with what the Central Government employees are getting as Dearness Allowance and the formula applied to them or whether they are asking for a formula applicable to the bank employees or whether they are asking for a formula different from both of them. And if it is so, what is difference?

DR. G. VIJAYA MOHAN REDDY (Andhra Pradesh): Madam, I feel that when the negotiations were going on and the Government has promised for negotiations, going on strike by the officers is not at all reasonable. But the response of the Government should not be an angry response because this Government has complete backing of the working class, and this Government should be reasonable. It is just like falling into a trap. You go into ESMA for what purpose? In future, the credibility of the Government with the working class will be lost. The most profit-making public sector undertaking will come into jeopardy, and it will be a great loss to the country. That is why I request the Minister that even though the negotiations were there and there has been a kind of unreasonable attitude taken by them by going on strike, even at this late stage some intervention may be made through some well-known working class leaders. Another thing is that the Government itself states that it is not going to use any repressive measures as a good signal to the entire working class. This is quite essential because in future also the working of this Government will be a popular working to the advantage of the workers as well as for the development process of our country.

SHRI KOTAIAH PRAGADA (Andhra Pradesh): Madam Deputy Chairman, if the hon. Minister had mentioned in his statement the difference between the Central DA rules and the Industrial DA rules, it would have been possible for the Members to know what the officers have been demanding. Any demand from the workers or officers is an additional commitment to the Government, and no doubt the Government will have to consider the problem in

all its aspects. But one thing is that the Government did not mention as to how many people are involved in this and by sanctioning DA according to the Central rules what would be the additional commitment for the Government per month or a year. That is one aspect. And the other aspect is that the Government proposes to have discussions with the workers after 12th after the return of the Finance Minister. In such circumstances, there was no need for the Government to issue a notification banning the strike. It was bad. Therefore, I would urge upon the Government to withdraw the notification, continue the discussions on the 12th, and see what best can be done for them. It is a matter of right for the workers to go on strike when they felt that their demands were not met. Thank you, Madam.

THE DEPUTY CHAIRMAN: Hon. Minister.

SHRI M. S. GURUPADASWAMY: Madam Deputy Chairman, a number of Members have sought clarifications and I welcome it. The question is serious and important. Naturally, it has given scope for various doubts and various misgivings It has also given room for criticisms.

First of all, let me clarify one or two things. Let us not confuse officers with labourers. This is a strike notice given by the officers' class. It is not given by the labourers. I am pointing this out because some Members made a reference to labourers. It is not given by the labourers at all.

There are nearly 28,000 officers and 8,500 supervisors in the 9 oil companies. Somebody wanted to know the total number of officers' associations in these 9 companies. They are 13 in number.

Now, what is the basic issue involved? It is not as if the Government does not recognise the demands of its employees, or , the employees working in the public sector. It is not also as if this Government, after it came to power, has created this situation, this issue. It has been pending for sometime and this Government is tackling the issue. The main demand of the officers was that instead of industrial D.A., they should get Central D.A. That is how it start ed. Later on, they wanted to ex tend the scope of the discussions. I had no objection for it. After all, in a situation like this, fresh demands are also made. If they are reasonable, genuine, as a responsible Government, we should welcome them and discuss them. But as I said, the main issue raised by the officers was that they should get Central D.A. They did not accept industrial D.A. The rate of inlustrial D.A. has been increased. It is mentioned in the statement itself. They did not accept it. Then, the question arose, if they get Central D.A., there will be a counterdemand by the Government employees, Central Government employees, and there will be demands from the employees of the State Governments also, that they would like to have the perquisites enjoyed by the employees in the oil sector and in other public sector undertakings. Officers of the oil industry wanted Central D.A., but they did not want to concede the demand of the Government employees that they should also have the perquisites enjoyed by the public sector employees. Therefore, Government had to negotiate. We said that if they want Central D.A. 'we have no objection'.

SHRI DIPEN GHOSH: But they have to take the Central scales of pay also.

SHRI M. S. GURUPADASWAMY: We said that it should be a package. Madam, today top officials of the oil industry are getting much more than the pay of the Central Government employees, even the highest employees. They are also enjoying perquisites, elaborate perquisites I do not grudge them. If they demand Central D.A., how can I prevent

Central Government officials demanding the same perquisites which are enjoyed by the employees of the oil sector of public sector? It cannot be denied. It has got to be a package.

PROF. CHANDRESH P. THAKUR: On a point of order. You are almost making a policy statement, Mr. Minister.

SHRI DIPEN GHOSH: He is explaining the background.

SHRI M. S. GURUPADASWAMY: I am explaining the situation. So, when Government was faced with this situation, they said, let there be a package All right, whatever is contained in the affidavit which the Government of India gave to the Supreme Court, you agree to that. The Supreme Court has accepted the affidavit. We go by the content of the affidavit. The main thing is, if there has to be a settlement, it has got to be a satisfactory settlement, a long-term settlement. The employees of the oil sector or in public sector cannot have the best of both the worlds, they should opt for this or opt for that. If they do not want to have industrial D.A., they should be prepared to forego the perquisites which they enjoy, which they do not want to Thy say, delink the perquisites from this demand. It is not acceptable. So, negotiations were conducted and we made them to appreciate the situation.

Madam, there are nearly 52 lakh employees in Central Government. You have to look to them also If Central D.A. is given to officials in the oil sector, why deny Central D.A. to the employees at lower level? Naturally, they will demand that, they have the right because a big gap is going to be created between the low level employees in the oil sector and the upper level employees or the officials. I cannot deny this to the lower level employees. Taking this logic a little farther,, we cannot deny this to State sector employees or the State level employees or officials also. What crime have they committed? It is in this context, Madam, that we have been dealing with this important question or negotiating.

An hon. Member asked whether the Minister has taken interest in the matter. As a matter of fact, I am very sympathetic. I am always sympathetic. Even now I am sympathetic. These officials are part and parcel of our organisation. They have been doing very well. They are very competent people. But their demand is so unreasonable that we cannot accept it. Accepting it means it will have far wider ramifications, implications. I did call them twice. I talked to them. I persuaded them that short of agitation, short of strike, they can have any method. I am prepared to go with them, I told them. As a matter of fact, today when the strike notice was issued, one or two organisations have not cooperated with them because of our appeal. GAIL is a very important organisation under my Ministry. The employess of GAIL have not cooperated with them, are not cooperating with them. I thing the employees of the Cochin Refinery are also not cooperating with them. When the negotiations were going on, my Secretary and the group of Secretaries have been appealing to them; let us have negotiations, let us have talks. Don't break the talks Postpone your strike. A suggestion has been made by my friend that they should postpone the strike. We told them, you postpone it. They never listened to us They did postpone the first stage. They had to go on agitation on the 24th of last month. They did postpone it. I was very happy. But later on they became very stubborn and they did not listen to us.

Madam, some friends have said, we are smothering or stifling the workers right to strike. I do not think they are workers; they are officials. Let us not make a mistake. They may be workers in the broad sense of

the term. I do not deny that... I do not deny that ...I am not disputing that.

SHRI GURUDAS DAS GUPTA: They are considered to be part of the working population.

THE DEPUTY CHAIRMAN: That includes this House also.

SHRI M. S. GURUPADASWAMY: So we gave them a basis for consideration. We suggested, let there be a package which was the package before the Supreme Court. If they want the Central D.A., there should also be perquisites as enjoyed by the Central Government employees, not their present perquisities. And we also suggested that if they do not want to accept this package, we can talk to them about the industrial DA itself. If there is any commission or omission on our part in formulating that formula, then we could revise it. That is why we wanted to talk. We have not closed our doors even today. If any Member thinks so, let me tell him that we have not closed the doors. Our doors are open. I want negotiations, I want a dialogue. And our group of Secretaries has only suggested that the Finance Minister will be back very soon. We are in the midst of negotiations. We have not cut off the negotiations. We need not. If there is any impression to that effect, I want to dispel that impression. Therefore, we continue...

SHRI DIPEN GHOSH: But the very fact that ESMA has been invoked will put a constraint in the way of continuing the negotiations.

SHRI M. S. GURUPADASWAMY: They broke negotiation. We never broke it.

SHRI DIPEN GHOSH: If ESMA is being invoked to take action against the striking officials, then dialogue is furnished.

SHRI GURUDAS DAS GUPTA: Once you invoke ESMA, you cannot have a dialogue.

SHRI M. S. GURUPADASWAMY: May I just remind my friends, they are valued friends of mine, they are with us, they are supporting us, and I am not a reactionary.

SHRI DIPEN GHOSH: No, no, we do not say like that.

SHRI GURUDAS DAS GUPTA: We do not believe you are reactionary. But it is a wrong step.

SHRI M. S. GURUPADASWAMY: I value their support, I value their views, but let me say that we have never made any provocative statement so far on this issue. We have restrained ourselves and we have been very cooperative. We have been functioning as friends of these employees, these officers, all along, even now. We have no bitterness against them. But let me tell you one thing. Suppose I do not resort to ESMA, could we have thought of something else? The strike is for tomorrow, not today. In the oil sector, giant undertakings are involved...

SHRI DIPEN GHOSH: I know, Mr. Minister, even after ESMA is invoked, the officers can go on strike, facing punishment to be inflicted upon them under ESMA. So, invocation of ESMA as such does not prevent them from going on strike. History shows that many times in the past, despite ESMA having been invoked and a strike having been declared illegal, workers and officers went on strike.

SHRI M. S. GURUPADASMAWY: Quite right, I am not disagreeing with you.

SHRI DIPEN GHOSH: Naturally, if that is the case, why lose your face if you cannot prevent them from going on strike?

SHRI GURUDAS DAS GUPTA: Mr. Minister, I implore you again, again to ponder over this and consider whether at this early period of your spell of existence you can afford to

lose you credibility by the way you are doing it. If you allow your bureaucracy to taste blood, they will do the same thing in other sectors. Don't allow the beginning of a bad chapter for you. Please don't allow it.

SHRI DIPEN GHOSH: Another thing. When you were explaining how the Government is on the right track and how the officers are not coming to the negotiating table let the countrymen decide...

SHRI GURUDAS DAS GUPTA: Let the people judge...

SHRI DIPEN GHOSH: ...that they were wrong.

SHRI GURUDAS DAS GUPTA: Let the people judge. Madam Deputy Chairperson, I again beg of the Government, please understand. Let popular pressure act on the misguided officers as a break. Let not ESMA be invoked. If it is done, it will create a situation which will be difficult for the Government to retrieve.

PROF. CHANDRESH P. THAKUR: Madam, the honourable Minister has made four...

SHRI M. S. GURUPADASWAMY: I have heard you enough all right.

PROF. CHANDRESH P. THAKUR: Mr. Minister, you were hearing your friends there. Hear to your other friends also.

SHRI M. S. GURUPADASWAMY: You are also my friend.

PROF. CHANDRESH P. THAKUR: Please listen to me. Madam, by implication, the Minister has made four policy statements. No. 1: Central Government employees have a right to enjoy the same perquisites which the public sector employees are getting. Is it true? No. 2.... p

SHRI M. S. GURUPADASWAMY: Further clarifications I am not prepared to give.

THE DEPUTY CHAIRMAN: No more clarifications arise now.

PROF. CHANDRESH P. THAKUR: Madam, it has arisen out of his statement right now.

SHRI M. S. GURUPADASWAMY: It is a clarification on a clarification now.

THE DEPUTY CHAIRMAN: Prof. Thakur, you should understand that you have had your say. Now the Minister is replying. There cannot be supplementaries on his replies, no. I allowed Mr. Gurudas Das Gupta because he was only pleading. If you plead for something...

PROF. CHANDRESH P. THAKUR: I am also pleading.

THE DEPUTY CHAIRMAN: No. You cannot ask a supplementary. I won't allow you because this is not done. You are not pleading in any way.

SHRI M. S. GURUPADASWAMY: Madam, let me conclude . . . (*Interrutions*)...Madam, I am not making this a prestige issue at all—why should I make it? They are our employees, they are our officers, we have to work with them and they have to work with us. They are valuable colleagues of ours in the organization. So, I have no bitterness at all against them. One thing, I say, even implementing or bringing the ESMA into operation does not prevent them from going on srike, I agree with it. that is true, but it will protect our installations. Even today, we are conciliа-

tory, even tomorrow we will be conciliatory, whether there is the ESMA or no ESMA, let me tell you, assure our colleagues here, we will be very friendly, very conciliatory in our approach to them. Let the ESMA not frighten us or scare us.

SHRI HARVENDRA SINGH HANSPAL (Punjab): This will lead to confrontation.

SHRI M. S. GURUPADASWAMY: No confrontation. We have no confrontation with our employees. Don't create confrontation.

SHRI MOTURU HANUMANTHA RAO (Andhra Pradesh): Madam just a submission to the hon. Minister.

THE DEPUTY CHAIRMAN: It will never end if you keep on interrupting him. Let him conclude. I have to adjourn the House.

SHRI MOTURU HANUMANTHA RAO: The last sentence is a real threat. The last sentence reads like this:

> "All necessary steps are being taken to meet the situation fully and firmly."

This is a real threat.

THE DEPUTY CHAIRMAN: Now please take your seat.

SHRI M. S. GURUPADASWAMY: It is not a threat all.

THE DEPUTY CHAIRMAN: Mr. Minister, kindly conclude.

SHRI M. S. GURUPADASWAMY: It is only a measure to protect our installations. After all, if tomorrow something goes wrong—and a refinery costs Rs. 2,000 crores—then, you will blame me. (*Interruptions*) Therefore, let me assure you, even if the ESMA is brought into operation, we are not using it . . .

SHRI JAGESH DESAI: Then why have it?

SHRI M. S. GURUPADASWAMY: If the employees are peaceful, we are not going to do anything at all. Therefore, it is only out of our concern for protection that we have been forced to do this. I think that you will appreciate after tomorrow that what we have done was not wrong but right.

Madam, in the end, may I say that . . .

SHRI V. NARAYANASAMY: It is a contradictory statement.

SHRI M. S. GURUPADASWAMY: It is not contradictory. Contradiction is in your mind. (*Interruptions*) I am not going to yield at all.

Madam, in the end, may I say that we are not having any confrontation with our employees? We have not declared war against them either. Somebody said that we have declared war Nothing of the kind. We want negotiations. Even now on the floor of this House I appeal to them to reconsider, withdraw the strike and cooperate with us, and we negotiate. (*Interruptions*)

SHRI DIPEN GHOSH: I want to make an appeal through you on behalf of all from Rajya Sabha. (*Interruptions*) Just one second. Let Rajya Sabha in this session make an appeal both to the officers of the oil companies to postpone the strike and to the Government not to invoke the ESMA. If we all agree, we can make the appeal. Let it go to the people that Rajya Sabha has made the appeal to both the officers' organisations in the Indian Oil who are supposed to go on strike from tomorrow to postpone it and to the Government not to invoke the ESMA. (*Interruptions*)

THE DEPUTY CHAIRMAN: Now it is over.

SHRI GURUDAS DAS GUPTA: That is what I have suggested at the

beginning. I completely agree with comrade Ghosh, and I say: Let this august House make the appeal to the misguided officers to postpone the strike, and at the same time we appal to our hon. colleague, Mr. Gurupadaswamy, not to invoke the ESMA. If they do it, it will be confrontation. Let this appeal be on record.

SHRI DIPEN GHOSH: Let it go on the air.

SHRI GURUDAS DAS GUPTA: Let it go.

THE DEPUTY CHAIRMAN: Let this appeal go on record, and let us hope that our Leader of the House will solve this problem to the satisfaction of everybody.

We adjourn the House till eleven O'clock tomorrow.

The House then adjourned at fifty-four minutes past six of the clock till eleven of the clock on Tuesday, the 8th May, 1990.